IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 14TH DECEMBER 2007 / 23RD AGRAHAYANA 1929

Bail Appl..No. 7726 of 2007()

CRIME NO. 254/07 OF SREEKANDAPURAM POLICE STATION

.....

PETITIONER/ACCUSED

SIYAD N., S/O.ABDULLA, AGED 19 YEARS,
NADUKUNNUMMAL, CHENGALAYI, AMSOM DESOM,
TALIPARAMBA TALUK.

BY ADV. SRI.BLAZE K.JOSE

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, REPRESENTING
SUB INSPECTOR OF POLICE,
SREEKANDAPURAM POLICE STATION.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 7726 of 2007

Dated this the 14th day of December, 2007

ORDER

Second application for regular bail. The petitioner faces allegations under Sec.376 of the IPC. The petitioner was arrested on 19/10/07 and continues in custody from that date. I have adverted to peculiar facts and circumstances of this case in the order dated 21/11/07 in B.A. No.7164/07. That application for regular bail was rejected with the observation that the petitioner can move this Court again at later stages of the investigation not prior to 5/12/07. Accordingly this petition has been filed on 6/12/07. This order must be read in continuation of the said order dated 21/11/07.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.75,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

Sd/-

(R. BASANT, JUDGE)

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//true copy//

P.S. to Judge